

MI Child Support Formula - Comments, re: ADM 2003-22-1 & general comments

From: <ssgconway@juno.com>
To: <MCSF@courts.mi.gov>
Date: 6/25/2003 11:01 AM
Subject: Comments, re: ADM 2003-22-1 & general comments

Greetings. I write in support of the proposed change in the parenting time threshold that would allow for an adjustment in child support owed in cases where the NCP has the children covered by the order for at least 52 nights a year.

This change is a step in the direction of greater equity in child support calculation, and as such is long overdue. This is so, because, to use a personal example, my children have their own rooms in my house, which cost me, in terms of a larger mortgage, whether or not they are there full-time. While they are with me, they are supported in the same manner as I am, which is their due. The presumption underlying our current system appears to be that children ought to have the same living standard as before the divorce, even though the same income(s) now support two households instead of one. This is unrealistic. Children are entitled to their parents' standard of living, and when that drops, it drops for the entire family. While that is certainly not the child's fault, our divorce laws do not require a finding of fault or any reason whatsoever to sunder a marriage, which means that the family breakup may not be the NCP's fault, either, and his living standard, along with daily contact with his children, are at the hazard, nonetheless.

Another apparent presumption in need of rebuttal is that all costs associated with child-raising are incurred in the custodial parent household. As noted above, the obvious fact is that both households incur costs, concurrently, in the case of fixed capital items, such as rent and car-related expenses, alternately, in the case of increased utility bills, food, et cetera. Contra comments made in rebuttal to a speaker at the June 19th hearing, even though the proposed change is calculated based on overnight stays, costs are incurred, even though the children sleep part of that time - if one considers the additional cost of maintaining room space, heat, food, clothing, et cetera, to say nothing of family activities or entertainment. Custodial parents, by the same rule, would incur no costs when the children were away at school sleeping, visiting the NCP, et cetera, yet child support is calculated on their full-time presence in the household.

I am attaching further, general comments on child support policy in a Word document for your perusal, with references to academic studies highlighting the deficiencies of the current system, and including a concern about the objectivity of Policy Studies, Inc., contracted by the State of Michigan to review our system and make recommendations for changes to policy.

You are welcome to contact me if you desire amplification of any of the points made above. Thank you for considering ADM 2003-22-1, which is a positive step in redressing systematic financial discrimination against NCPs.

Sincerely,

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